IN THE UNITED STATES DISTRICT COURT
FOR THE SOUTHERN DISTRICT OF OHIO
WESTERN DIVISION

UNITED STATES OF AMERICA,	:	CASE NO. 3:11CR086-1
Plaintiff,	:	JUDGE TIMOTHY S. BLACK
v.	:	
FRANK HARMON, JR.,	:	
Defendant.	:	

FINAL ORDER OF FORFEITURE
OF DEFENDANT FRANK HARMON, JR.'S ASSETS

WHEREAS, on October 21, 2011, this Court entered a Preliminary Order of Forfeiture, (Doc. 56) ordering the forfeiture, pursuant to 18 U.S.C. §924(d)(1) and 28 U.S.C. §2461(c), of the following subject property:

a) Kel-Tec CNC Inc. .380-caliber automatic pistol bearing serial number 002410;
b) Black/silver rifle carry case (no brand) containing one scope 1x32 with no brand, one "Sight Mark" #48929 with mount, and one round gun piece;
c) 7.62x39mm rifle, Manufacturer SN Romarm SA, bearing serial number S1-26525-2000;
d) One magazine containing 7.62x39 mm ammunition and one loose round of 7.62x39 mm ammunition (previously loaded and chambered in the above rifle);
e) Black plastic case containing 13 boxes of Wolf 7.62x39 mm ammunition, each box containing approximately 20 rounds;
f) One clear plastic round container with a red lid containing 17 clips, each with 10 cartridges of 7.62x39 mm ammunition, and 102 loose rounds of 7.62x39 mm ammunition;
g) Magazine with approximately 6 rounds of .380-caliber automatic ammunition;
h) Clear plastic box with 50 rounds of .380-caliber ammunition;
i) Three magazines containing 7.62x39 mm ammunition;
j) One round of .380-caliber ammunition;
k) One round of 7.62x39 mm ammunition;
l) One round of .380-caliber ammunition;
m) Ten rounds of .380-caliber ammunition;
n) 40 rounds of .380-caliber PMC ammunition;
o) 8 rounds of 7.62x39 mm Wolf ammunition; and
p) Kel-Tec magazine.

WHEREAS, the United States published notice of this forfeiture action against the subject property and the intent of the United States to dispose of the property in accordance with law, and further notified all parties of their right to petition the Court for a hearing to adjudicate the validity of their alleged interest in the property, beginning on October 26, 2011 and continuing for at least thirty (30) consecutive days, on the www.forfeiture.gov website (Doc. 67); and

WHEREAS, the United States did not send direct written notice of the Preliminary Order of Forfeiture because there was no person who reasonably appeared to be a potential claimant with standing to contest the forfeiture of the property in the ancillary hearing; and

WHEREAS, no timely petition has been filed to the property listed above; and

WHEREAS, the Defendant was sentenced on December 15, 2011 and a Judgment (Doc. 61) was entered on January 3, 2012 and that Judgment ordered the forfeiture of the firearms and ammunition used in the offense and seized from the Defendant; and

WHEREAS, the Court finds that defendant had an interest in the property; the United States has established the requisite nexus between the property and the offense; and the United States has established that the property is subject to forfeiture pursuant to 18 U.S.C. §924(d)(1) and 28 U.S.C. §2461(c);

NOW THEREFORE, IT IS HEREBY ORDERED, ADJUDGED AND DECREED that the Preliminary Order of Forfeiture entered in this action on October 21, 2011 (Doc. 56), ordering the forfeiture pursuant to 18 U.S.C. §924(d)(1) and 28 U.S.C. §2461(c), of the following property:

a) Kel-Tec CNC Inc. .380-caliber automatic pistol bearing serial number 002410;
b) Black/silver rifle carry case (no brand) containing one scope 1x32 with no brand, one "Sight Mark" #48929 with mount, and one round gun piece;
c) 7.62x39mm rifle, Manufacturer SN Romarm SA, bearing serial number S1-26525-2000;

d) One magazine containing 7.62x39 mm ammunition and one loose round of 7.62x39 mm ammunition (previously loaded and chambered in the above rifle);
e) Black plastic case containing 13 boxes of Wolf 7.62x39 mm ammunition, each box containing approximately 20 rounds;
f) One clear plastic round container with a red lid containing 17 clips, each with 10 cartridges of 7.62x39 mm ammunition, and 102 loose rounds of 7.62x39 mm ammunition;
g) Magazine with approximately 6 rounds of .380-caliber automatic ammunition;
h) Clear plastic box with 50 rounds of .380-caliber ammunition;
i) Three magazines containing 7.62x39 mm ammunition;
j) One round of .380-caliber ammunition;
k) One round of 7.62x39 mm ammunition;
l) One round of .380-caliber ammunition;
m) Ten rounds of .380-caliber ammunition;
n) 40 rounds of .380-caliber PMC ammunition;
o) 8 rounds of 7.62x39 mm Wolf ammunition; and
p) Kel-Tec magazine;

is final; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that all right, title and interest to the above-referenced is hereby condemned, forfeited and vested in the United States of America and the United States has clear title to the property described above; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the custodian of the property is hereby authorized to dispose of the property in accordance with the law; and

IT IS FURTHER ORDERED, ADJUDGED AND DECREED that the United States District Court shall retain jurisdiction in the case for the purpose of enforcing this Final Order of Forfeiture.

SO ORDERED:

Dated: 2/15/12

Timothy S. Black
TIMOTHY S. BLACK
UNITED STATES DISTRICT JUDGE